

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 19-cv-10116-LTS

LUIS ANGEL RODRIGUEZ,

Plaintiff,

v.

**BOSTON PUBLIC SCHOOLS and
SHAUN O. HARRISON, individually and
in his official capacity,**

Defendants

MOTION FOR DEFAULT AGAINST CO-DEFENDANT, SHAUN O. HARRISON

I, Simon B. Mann, attorney for the above named plaintiff Luis Angel Rodriguez filed a Complaint against the defendant Shaun O. Harrison January 17, 2019. The summons and a copy of the complaint were served on the Co-Defendant Shaun O. Harrison on April 3, 2019 (see attached Exhibit A). The time within which the defendant shall serve a responsive pleading, or otherwise defend pursuant to Rule 7055-1 has expired and the defendant has failed to serve or file an answer or otherwise defend as to the complaint.

WHEREFORE, plaintiff, Luis Angel Rodriguez, with Affidavit attached, makes application for Default against Defendant.

Respectfully submitted,
Luis Angel Rodriguez,
By his attorney,

/s/ Simon B. Mann

Simon B. Mann
Mann Law Firm, PC
200 Highland Avenue, Suite 300
Needham, MA 02494
BBO # 665301
(617)690-7379
simon@sbmannlaw.com

Dated: September 10, 2019

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 19-cv-10116-LTS

LUIS ANGEL RODRIGUEZ,

Plaintiff,

v.

BOSTON PUBLIC SCHOOLS and
SHAUN O. HARRISON, individually and
in his official capacity,

Defendants

AFFIDAVIT

I, Simon B. Mann, on behalf of the Plaintiff Luis Angel Rodriguez aver
that Defendant Shaun O. Harrison is not an infant, an incompetent person, or
serving in the armed forces within the meaning of the Servicemembers Civil
Relief Act, 50 U.S.C.A. § 3931.

Respectfully submitted,
Luis Angel Rodriguez,
By his attorney,

/s/ Simon B. Mann

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ORDER

_____ The Request is denied

_____ The Request is approved.

Date:

United States Bankruptcy Judge,
Honorable Leo T. Sorokin,
United States District Court Judge

CERTIFICATE OF SERVICE

I, Simon B. Mann, state that on September 10, 2019, I electronically filed the foregoing “Motion For Default” with the United States District Court for the District of Massachusetts using the CM/ECF System. I served the foregoing document on the following CM/ECF participants:

By CM/ECF:

Nicole M. O’Connor
Edward F. Whitesell, Jr.
City of Boston Law Department
City Hall, Room 615
Boston, MA 02201

Shaun O. Harrison
MCI Cedar Junction
2405 Main Street
Walpole, MA 02071

/s/ Simon B. Mann

Simon B. Mann

Civil Action No.: 1:19-CV-10116-LTS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) _____
was received by me on (date)_____.

☐ I personally served the summons on the individual at (place) _____
_____ on (date)_____ ; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
_____, a person of suitable age and discretion who resides there,



Norfolk County Sheriff's Office, P.O. Box 699245, Quincy, MA 02269 / Tel. (781) 326-7271
Norfolk, SS

April 3, 2019

I hereby certify and return that on 4/3/2019 at 9:43 AM I served a true and attested copy of the summons, complaint and civil action cover sheet, jury demand in this action in the following manner: To wit, by delivering in hand to Cheryl Maher , Paraleagle, person in charge at the time of service for Shaun O. Harrison, at MCI-Cedar Junction 2405 Main Street Walpole, MA 02071 . Attestation - 1 Copy (\$5.00) Basic Service Fee (\$30.00) Conveyance (\$4.50) Postage and Handling (\$1.00) Travel (\$9.28) Total: \$49.78

Deputy Sheriff James Riggs

Deputy Sheriff

A handwritten signature in black ink, appearing to read "James Riggs".

Date

Server's Signature

Printed name and title

Server's Address

Additional information regarding attempted service, etc:

Ex A